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MINUTES OF THE ZONING BOARD PUBLIC
HEARING AND REGULAR MEETING, HELD
MONDAY, NOVEMBER 18, 2013, 7:00 P.M.,
4TH FLOOR, CAFETERIA, GOVERNMENT CENTER
BUILDING, 888 WASHINGTON BLVD,
STAMFORD, CONNECTICUT 06901

Present for the Board: Thomas Mills, Bill Morris, Barry Michelson and Rosanne McManus.
Present for staff: David Killeen, Associate Planner

PUBLIC HEARING

Chairman Mills called the meeting to order at 7:08 p.m.

1. **Application 213-24 – ESTATE OF SAMUEL J. HEYMAN – 537 Canal Street, Special Exception, Site & Architectural Plans and Coastal Site Plan Review**, requesting special exception for Large Scale Development to construct two, one-story buildings; one for a 14,561 s.f. retail CVS drug store and one 3,290 s.f. retail building and associated site improvements on approximately 2.01 acres in the M-G zone known as 537 Canal Street in a coastal area (*continued from October 21, 2013*).

Attorney William Hennessey, Sandak, Hennessey & Greco, for the Applicant, explained that the Zoning Board had asked the applicant to come back with revisions to the architecture to reflect the industrial motif of the area. Doug Bruner, PK Architects, gave an overview of the revised architecture featuring a band of split face CMU along the base, brick façade with divided pilaster, a band of Hardie Plank shingles along the top and a metal cornice along the roof. The architects picked up elements of existing architecture in the neighborhood, including the old Police Station at 7 Market Street, the new residential development at Yale & Towne and other buildings in the South End.

Mr. Mills asked for sample materials for the window shutters. The architect submitted samples of the full brick to be used on the project, the surface of the CMU material, the window sills and the metal cornice as well as one of the windows that will include muntins to give a cottage appearance.

Ms. McManus expressed her concern that the canopies needed to be solid to protect patrons from the weather. Attorney Hennessey confirmed they would be solid.

Mr. Michelson asked about the sign package. Attorney Hennessey responded that the Applicant would submit a sign package for Staff review/approval separately but that they believed the renderings presented were relatively consistent with what they expected to submit.

Mr. Mills asked about the thickness of the metal cornice. The architect responded it would be heavy duty, 18 gauge.

Mr. Michelson asked about traffic circulation flow and expressed concern about the arrangement of the drive-through, the loading dock and the stockade fence.

Mr. Killeen pointed out that approving the driveway now would limit future options for the Zoning Board to modify the site plan once a use is found for the smaller two buildings which would likely be a bank or a coffee shop. Mr. Killeen reported that David Woods, Principal Planner, had reviewed the revised plans for CVS and his main concern was closing the southern curb cut onto John Street. Ms. McManus and Mr. Morris had no concerns about approving the southern curb cut now. Attorney Hennessey indicated he is seeking approval of the entire site plan and didn't object to making the northern curb cut two-way for now, leaving the southern curb cut out of the current development and seeding the remaining commercial site as lawn for the time being as long as it is understood the Applicant is approved for the curb cut for future uses and would not construct in the short term.

Mr. Michelson asked for details/photographs of building materials and the Board agreed they would like to see details of the window shutters, canopy, vertical pilasters near the signs on the perspective sketches and the sconces.

Shannon Rutherford, Engineer, reviewed the updated site plans, landscape plans and lighting plans, indicating that CVS has increased landscape materials, added a 1 foot berm along Market Street (approximately 1-1/2 feet above paved lot). The light poles will be 28 feet in height and use full-cutoff lamps, mounted on a 2-3 foot concrete base. She reviewed the photometric plans and identified the location of the light poles.

Attorney Hennessey discussed the billboard lease which goes back 31 years. He was unsure if the lease cancels immediately or continues for another year. He said the CVS sites on Hope Street and High Ridge will both be constructed in 2014.

Mr. Mills asked for any comment from the Public.

Sheila Barney, resident of the South-end said she was excited because CVS will replace a stone yard. She was pleased that they will provide off-street parking.

Terry Adams, Board of Representatives, District 3 and on the Neighborhood Revitalization Board said the site has been an eyesore for many years and this is a positive development. He also wants to see off-street parking. He thinks this development will enhance the area. After a brief discussion, Mr. Mills closed the Public Hearing on this application at 8:40pm and called a brief recess. He reconvened the Public Hearing at 8:45pm.

2. **Application 213-30 – BBSF, LLC & AFFORDABLE HOUSING DEVELOPMENT COMPANY, LLC, 695 Atlantic Street, Final Site & Architectural Plans and/or Requested Uses and Coastal Site Plan Review,** proposes to construct the final 155 unit residential component of the Metro Green development Buildings A and D and Phase II of the 3-level parking garage as well as associated site improvements in the TCDD district.

Mr. Mills read the description into the record. Attorney William Hennessey, Sandak, Hennessey & Greco, for the Applicant, presented the Notice to Adjoining Properties into the record and presented his project team. He presented a site plan and explained the area is close to the train station, office tower, residential properties and the DOT garage. It will be constructed as a highly energy efficient Gold Standard LEED building. The proposed garage will be 4-levels instead of 3.5.

Jonathan Metz, Perkins Eastman discussed the LEED certification and overall building design. He explained how the EIFS material increased energy efficiency for the building as well as the aluminum windows. He reviewed the primary elements of the proposed design for Building A and submitted a model showing the actual colors and materials to be used along the walls, the base and a sample window. He showed a perspective sketch with a better presentation of the treatment of the elevations. He explained that Building D would help to hide the residential garage (and the office building garage when it's built). He explained that the units would be accessed from stairs and a walkway that would be parallel to the building and set back five feet. Attorney Hennessey addressed other aspects of the site plan including the landscaping, streetscape/walkway, labyrinth and the vest pocket park and the retail space. Attorney Hennessey discussed Staff's suggestion that a pedestrian path connect the residential portions of Metro Green with Station Place near the Train Station, noting that the Applicant was not able to resolve how pedestrians would cross-through the office development. As part of the approval of the General Development Plan, this was part of the reason for the significant pedestrian improvements along Atlantic Street.

Mr. Killeen distributed copies of a memo from Traffic Engineer, Mani Poola and the most recent condition of approval from the Zoning Board regarding the applicant's contribution to road improvements to the intersection of Atlantic and Henry Streets.

Mr. Poola indicated he was planning to proceed with these intersection improvements soon and that he needed to receive contributions to the project in order to proceed. Condition #18 of Zoning Certificate #212-05 required a fair share contribution of \$500,000 from the owners of the Metro Green development and the same amount from the owners of the nearby Gateway development. Attorney Hennessey said the Applicant was prepared to make their contribution but that the State is requiring a relocation of the intersection improvements to retain a historic building on the southwest corner of the intersection. That relocation will require the taking of some of the Metro Green property along with some streetscape improvements and a portion of the public park at the intersection.

Mr. Michelson objected to the relocation, noting that it was not in keeping with the Zoning Board approvals. Mr. Killeen explained that this relocation was required by the CT Department of Transportation in conjunction with their environmental reviews for funding the project. The Board expressed concern about the situation and asked Staff to obtain a status report on this intersection improvement project from Mr. Poola.

Mr. Mills asked for any comment from the Public.

Terry Adams, Board of Representatives, District 3 and on the Neighborhood Revitalization Zone Committee said he supports this project. He had a question about the proximity of handicap spaces and retail spaces and the connection from the garage to residences.

After a brief discussion, Mr. Mills continued the Public Hearing on this application to the next scheduled Zoning Board meeting on November 25, 2013 at 7:00pm.

Mr. Mills called a brief recess at 10:10pm and called the meeting back to order at 10:15pm.

Ms. McManus made a motion to change the order of the agenda to hold over the Weed Avenue Coastal Application until the next meeting and to move to discussion of Old Business and have a report from BLT on Harbor Point, seconded by Mr. Michelson and unanimously approved 4 to 0 (Mills, Michelson, Morris and McManus).

REGULAR MEETING

OLD BUSINESS

1. **Application 208-05 ANTARES HARBOR POINT**, General Development Plan, Condition #7, 14 Acre Working Boatyard and Full Service Marina status updates, Cease & Desist Order and requested items.

Attorney John Freeman was present to make the report. Mr. Mills asked about Bill Buckley and expressed concern that he was not there to make the engineering report. Attorney Freeman submitted a summary report of material movement. Mr. Mills reported that he received a summary of recent reports on remediation from Norman Cole and asked why there's been no significant soil removal since September 2013. Mr. Freeman indicated he was not sure. Mr. Mills asked that either Bill Buckley or Rob Danielson be present at the next Board meeting to provide a status of the Marina project.

Attorney Freeman stated a small number of boats at the Ponus Yacht Club are seeking winter boat storage, and Mr. Morris asked if BLT had plans to replace the pilings and docks that were included with the existing COP. Attorney Freeman wasn't sure. Mr. Mills asked Attorney Freeman to check on the issue and provide an answer from BLT to that question. The Board asked about the status of the proposed license agreement between BLT and the City for the use of 205 Magee Avenue, and if there is no agreement, what options are being explored? Attorney Freeman suggested the Board check with Mr. Cole who could provide an update on the status of the proposed license agreement.

Attorney Freeman said the Jitney marketing plan has been prepared and they've come up with flyers and signs to advertise the trolley. Mr. Mills asked how these would be disseminated. DSSD will replenish the flyers in the downtown and BLT will replenish them in the South End, and the Jitney will be advertised in the Advocate. They will launch a separate website for the Jitney. Attorney Freeman is working with Norman Cole, Building Officials and the City's Attorney regarding the potential issuance of a

building permit for the Y3 development that would allow the City to halt the project if the trolley service is not operational as of February 14, 2014. Mr. Mills read an email from Norman Cole, which reported a conversation with the City Attorney's office regarding the procedure that would most likely be followed if the City did decide to halt the project under those conditions.

Mr. Mills said he'd like to see an email from John Ruotolo, DSSD, expressing acceptance of the marketing plan and support for the service to begin earlier than the February 14, 2014 target date. Mr. Ruotolo and Mr. Levin, who were both present, commented that DSSD is supportive of the service starting sooner as long as the vehicles are available. The Board asked about implementation, timing and services which Attorney Freeman said he'd supply.

Mr. Mills tabled approval of the minutes and further discussion of pending applications to the next meeting scheduled for November 25.

ADJOURNMENT

Ms. McManus made a motion to adjourn the meeting, seconded by Mr. Morris and unanimously approved 4 to 0 (Mills, Michelson, Morris and McManus). Mr. Mills adjourned the meeting at 10:40pm.

Respectfully submitted,

Barry Michelson, Secretary
Stamford Zoning Board